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ORDER E-FILED 6/11/2008

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 KYPHON INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

SAFRONIA DODD-OWENS, et al., etc., ,
 Plaintiffs,
 vs.
 KYPHON INC.,
 Defendant.

Case No.: CV 06 03988 JF

**DEFENDANT'S REQUEST AND
~~PROPOSED~~ ORDER REGARDING
 CLIENT'S TELEPHONIC
 ATTENDANCE AT THE JUNE 17, 2008
 HEARING**

Hearing Date: June 17, 2008
 Time: 10:00 a.m.
 Judge: Magistrate Judge Lloyd

1 Defendant Kyphon Inc. ("Defendant") respectfully requests that Deborah Hilke, Kyphon
2 Inc.'s client, be permitted to attend the June 17, 2008 hearing on Defendant's Motion for
3 Protective Order. Defendant's request is made on the following grounds:

- 4 1. Ms. Hilke resides in Minneapolis, Minnesota;
- 5 2. Ms. Hilke will not participate in the hearing itself but simply seeks to listen to the
6 proceedings via telephone; and
- 7 3. Plaintiffs have consented to, and will not oppose, this request.

8
9 DATED: June 9, 2008

SEVERSON & WERSON
A Professional Corporation

10
11 By: /s/ Rhonda L. Nelson
12 Rhonda L. Nelson

13 Attorneys for Defendant
14 KYPHON INC.

ORDER

PURSUANT TO DEFENDANT'S UNOPPOSED REQUEST, IT IS SO ORDERED that Defendant's client, Deborah Hilke, may telephonically attend the June 17, 2008, hearing on Defendant's Motion for Protective Order. **However, plaintiffs' out-of-state counsel have already been given leave to appear at the hearing by phone; and, the parties are advised that, due to certain limitations on the courtroom's phone system, the court can only accommodate one call at a time. Accordingly, if Ms. Hilke wishes to listen to the proceedings by phone, she and**

~~Dated: June 11, 2008 By: _____~~
~~_____~~
~~_____~~

plaintiffs' counsel will need to make arrangements to jointly dial-in to the court at 408-535-5205 at the time appointed for the hearing.

Dated: June 11, 2008

